

United States District Court

WESTERN DISTRICT OF NEW YORK

Henry Frankhauser

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 02-CV-256

v.

Jo Anne B. Barnhart, Commissioner of Social Security

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Defendant's motion for judgment on the pleadings is denied, Plaintiff's motion for judgment on the pleadings is granted and this case is remanded for calculation and payment of benefits.

Date: 11/23/05

RODNEY C. EARLY, CLERK

By: s/Deborah M. Zeeb
Deputy Clerk